



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/552,215	10/06/2005	Harn Lian Lam	HGC-PT006	6779
3624 7590 11/25/2008 VOLPE AND KOENIG, P.C. UNITED PLAZA, SUITE 1600 30 SOUTH 17TH STREET PHILADELPHIA, PA 19103			EXAMINER HANSEN, JAMES ORVILLE	
			ART UNIT 3637	PAPER NUMBER
			MAIL DATE 11/25/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/552,215

Applicant(s)

LAM ET AL.

Examiner

James O. Hansen

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5 and 9-13 is/are rejected.
- 7) ☒ Claim(s) 4 and 6-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 August 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection. It is noted that the evidence reference to Hammerle is applied against the claims but viewed in a different light in response to applicant's amendments to claim 1, while the application of evidence reference to Lautenschlager '045 is applied against the claims to support a different perspective.

Drawings

2. The proposed amended sheets of drawings were received on August 14, 2008. These drawings are have been approved by the examiner for examination purposes.

Specification

3. The substitute specification filed August 14th has been entered in order to mesh with the amended drawing identifiers. However, the amendments to the specification on page 8, paragraph [0055] i.e., "As seen in Figure 9, channel... each side of channel 70" are objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material is not properly supported by the original disclosure because figure 9 does not even depict reference numbers to

accurately reflect the material in question or clearly show the possibility of such an inclusion of material. Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Objections

4. Claim 1 is objected to because of the following informalities: In line 15, the phrase "said is extension sized" should be --said extension is sized--. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 9 & 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In Claim 9, the phrase "the force supplying means" does not have a proper antecedent basis due to amendments made in intervening claim 3. If claim 3 was dependent upon claim 2 instead of claim 1, this would obviate the outstanding indefinite issue. Consequently, claim 10 is rejected since it is dependent upon an indefinite claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-3, 5, 11 & 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Hammerle. Hammerle (figures 1-4) teaches of a stabilizing arrangement (fig. 3) capable for use with a double walled drawer, mounted for guided in and out movement with respect to a furniture body, the arrangement comprising; a drawer support means (8) for supporting the drawer during the in and out movement, the drawer support means having a slot (top central slot/opening); a runner system (fig. 4) housed within the drawer support means to enable the in and out movement, the runner system including a pull-out guide (14) having a recess (top central recess/opening); a guide (11) having an extension (shaft of 11) engageable within the slot, the guide being locked onto the drawer support means when force is applied; wherein the extension is sized such that it is moveable laterally within the drawer support means slot so as to allow variance between the width of the furniture body and the drawer top to be accommodated [when the arrangement is mounted at a 90 degree angle relative to the depiction shown in fig. 3 – in as much as a drawer and furniture body are not positively claimed elements]; and the guide extension is secured within the recess through the slot such that the guide is aligned with the runner system, when locked thereto. As to claim 2, the arrangement further comprises an inherent force supplying means (applied torque from a user's screwdriver/allen wrench) for locking the guide onto the drawer support

means. As to claim 3, the drawer support means is a bottom support bracket. As to claim 5, the inherent force supplying means would apply constant pressure to the guide when acting upon the guide. As to claim 11, the guide is in alignment automatically with the runner system (fig. 4). As to claim 12, the stabilizing arrangement can be used in conjunction with a drawer (2).

9. Claims 1, 2, 5 & 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Lautenschlager [US Patent 4,810,045]. Lautenschlager (figures 1-6) teaches of a stabilizing arrangement (fig. 2) capable for use with a double walled drawer, mounted for guided in and out movement with respect to a furniture body, the arrangement comprising; a drawer support means (14) for supporting the drawer during the in and out movement, the drawer support means having a slot (64 plus bore); a runner system (fig. 4) housed within the drawer support means to enable the in and out movement, the runner system including a pull-out guide (10) having a recess (58); a guide (62) having an extension (shaft of 62) engageable within the slot, the guide being locked onto the drawer support means when force is applied; wherein the extension is sized such that it is moveable laterally within the drawer support means slot so as to allow variance between the width of the furniture body and the drawer top to be accommodated; and the guide extension is secured within the recess through the slot such that the guide is aligned with the runner system, when locked thereto (fig. 2). As to claim 2, the arrangement further comprises an inherent force supplying means (applied torque from a user's screwdriver) for locking the guide onto the drawer support means. As to claim 5, the inherent force supplying means would apply constant pressure to the guide when

acting upon the guide. As to claim 11, the guide is in alignment automatically with the runner system (fig. 1). As to claim 12, the stabilizing arrangement is used in conjunction with a drawer (12). As to claim 13, the stabilizing arrangement is on as least one side of the drawer (fig. 2).

Allowable Subject Matter

10. Pending further review and consideration, Claims 4 & 6-8 are objected to as being dependent upon a rejected base claim, and may be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claims 9 & 10 are tentatively allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lautenschlager et al., '080, Lautenschlager '181, Egger and Michaels describe drawer slide assemblies with stabilizing devices.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James O. Hansen whose telephone number is 571-272-6866. The examiner can normally be reached on Monday-Friday between 8-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James O. Hansen/
Primary Examiner, Art Unit 3637

JOH
November 21, 2008